IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE GOPALAKRISHNA TAMADA

Writ Petition No.7178 of 1999

Dated: 18-04-2007

Between:

1. Madiga Gaddam Chinna Naganna,
   s/o Gaddam Nadipi Naganna,
   r/o Thippanapalli, h/o Chinna Bodanam village,
   R. Kistapuram Post, Chagalamarri Mandal,
   Kurnool District and 8 others.

... Petitioners

and

1. Government of Andhra Pradesh,
   rep. by its Secretary,
   Social Welfare (L.A.) Department,
   Secretariat, Hyderabad and 5 others.

... Respondents

ORDER:

The Joint Secretary to the Government passed an order in Memo No.24078/L.A.II/98-1, dated 05-01-1999 according permission to the Collector, Kurnool – third respondent for exchange of the land in favour of six respondent provided the exchanged bit of Ac.0-01 cent of land is also contiguous to the acquired land. Questioning the said

Memo, petitioners approached this Court stating that if the said permission is accorded and sixth respondent is permitted to use the closed bore-well dug by her for irrigation purpose, the water levels in the bore-well dug by respondent-authorities in Plot No.19 in S.C. Colony, for drinking purpose of the Colony, will come down and there is every possibility of deficiency of drinking water to the residents of the Colony, wherein petitioners are also residing.

2. Having heard both the learned counsel, this Court is of the view that the writ petition can be disposed of with a direction to permit the said exchange, but, however, sixth respondent shall not use the water from out of the bore-well in question for any purpose other than drinking. If the water in the said bore-well is used for irrigation or for any other purpose, the authorities shall immediately take necessary action.

3. With the above directions, the writ petition is disposed of. No costs.

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JUSTICE GOPALAKRISHNA TAMADA

Dt.18-04-2007
GLV